

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

---

**Paul Salazar, Sarah Smith and David  
'Dave' Sherrill,**

**Plaintiffs,**

**No.:**

**vs.**

**JURY DEMAND (12)**

**Mycon General Contractors Inc.,  
Winston Steel Erectors Corporation,  
Southern Trades Inc., and Complete  
Contracting, LLC,**

**Defendants.**

---

**PETITION AND NOTICE OF REMOVAL TO FEDERAL COURT**

---

TO: The United States District Court  
Eastern District of Tennessee  
800 Market Street, Suite 130  
Knoxville, Tennessee 37902

**PLEASE TAKE NOTICE** that Winston Steel Erectors Corporation, hereby removes this action, pursuant to 28 U.S.C. § 1441, from the Circuit Court for Knox County, Tennessee to the United States District Court for the Eastern District of Tennessee, and respectfully state to this Court as follows:

1. On or about April 29, 2025, Paul Salazar, Sarah Smith and David 'Dave' Sherrill commenced a civil action against the Defendants by filing a Complaint in the Circuit Court for Knox County, Tennessee.

2. Copies of the Complaint and all other pleadings filed to date in the Knox County Circuit Court are attached hereto and incorporated by reference herein as *Exhibit A*. As of the filing of this Petition and Notice of Removal to Federal Court, no

Defendant has made an appearance or filed any responsive pleading in the Knox County Circuit Court.

3. For the reasons stated below, this Court has jurisdiction over the state court action pursuant to 28 U.S.C. § 1332, because it is a civil action in which the amount in controversy exceeds the sum of \$75,000.00, exclusive of costs and interest, and because it is between citizens of different states.

**I. This Defendant has satisfied the procedural requirements for removal.**

5. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b), because it is filed “within thirty days after receipt by the defendant, through service or otherwise . . . of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based.” 28 U.S.C. § 1446(b) (2025).

6. The United States District for the Eastern District of Tennessee includes the county in which the state court action is now pending. Therefore, this Court is a proper venue for this action pursuant to 28 U.S.C. § 123(a)(3) and § 1441(a).

7. Pursuant to 28 U.S.C. § 1446(d), the Defendants have filed written notice of this removal with the Clerk of the State Court in which the action is currently pending. Copies of the Notice of Filing, together with this Notice of Removal, are being served upon Plaintiffs’ counsel pursuant to 28 U.S.C. § 1446(d).

**II. Removal is proper in the present case.**

8. The Plaintiffs’ Complaint includes an ad damnum in excess of \$75,000.00, seeking compensatory damages not to exceed \$2,000,000.00 and punitive damages not to exceed \$3,000,000.00. Therefore, that the amount in controversy of said action exceeds the sum or value of \$75,000.00.

9. There is complete diversity between the Plaintiffs and the Defendants. In the Complaint, the Plaintiffs admit that they are residents of the State of Tennessee. (Compl., ¶¶ 1-3). As to the Defendants, the Complaint asserts that Defendant Mycon General Contractors, Inc. is a Texas corporation with its principal place of business in Texas. (Compl., ¶ 4). The Complaint also acknowledges that Defendant Winston Steel Erectors Corporation is a North Carolina corporation with its principal place of business in North Carolina. (Compl., ¶ 5). The Complaint also alleges that Defendant Southern Trades, Inc. is a Kentucky corporation with its principal place of business in Kentucky. (Compl., ¶ 6). Similarly, the Complaint alleges that Defendant Complete Contracting, LLC is a Kentucky company with its principal place of business in Kentucky. (Compl., ¶ 7). Thus, complete diversity exists among the parties in this case.

**WHEREFORE**, Defendant Winston Steel Erectors Corporation respectfully removes this action from the Knox County Circuit Court to this Court.

Respectfully submitted this the 9<sup>th</sup> day of June, 2025.

MCANGUS GOUDELOCK & COURIE, LLC

/s/ Joshua A. Wolfe

JOSHUA A. WOLFE, 23101  
JOSH B. FERRELL, 39517  
520 West Summit Hill Drive, Suite 905  
Knoxville, Tennessee 37902  
Phone: (865) 243-2743  
Facsimile: (865) 381-1417  
Email: joshua.wolfe@mgclaw.com

ATTORNEY FOR WINSTON STEEL  
ERECTORS CORPORATION

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

Mycon General Contractors, Inc.  
17311 Dallas Pkwy  
Suite 300  
Dallas, TX 75248  
*Pro Se Defendant*

Southern Trades, Inc.  
200 Whittington Pkwy  
Suite 102  
Louisville Kentucky 40222  
*Pro Se Defendant*

Complete Contracting, LLC  
572 East College Avenue  
Statnton Kentucky 40380  
*Pro Se Defendant*

Lacey Webb Rorex  
Wettermark & Keith, LLC  
629 Market Street, Suite 101  
Chattanooga, TN 37402  
Attorneys for Plaintiffs

This the 9<sup>th</sup> day of June, 2025.

/s/ Joshua A. Wolfe  
JOSHUA A. WOLFE